

Notice of Allowability

Application No.

10/076,336

Examiner

Diem K. Cao

Applicant(s)

CALUSINSKI, JEFFREY DAVID

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 10/31/2005.
2. ☒ The allowed claim(s) is/are 1-5, 7-11, 13-17, 19-29 and 31 now renumbered 1-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/22/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Darcell Walker (Reg. No. 34,945) on January 12th and 20th 2006.

2. The application has been amended as follows:

- In the specification, please replace lines 24-31 on page 11 with the following:

It is also important to note that while the present invention has been described in the context of a fully functioning data processing system, those skilled in the art will appreciate that the processes of the present invention are capable of being distributed in the form of instructions in a computer readable medium and a variety of other forms, regardless of the particular type of medium used to carry out the distribution. The computer readable medium includes storage medium, paper, and transmission-type of media. Examples of computer readable storage medium include media such as EPROM, ROM, tape, floppy disc, hard disk drive, RAM, and CD-ROM and transmission-type of media, such as digital and analog communications links.

- In the claims

In claim 9, at line 2, before "medium", insert -- storage--.

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In claim 22, at line 2, before “medium”, insert – storage--.

Claim 29 (Currently Amended) A system for re-initializing long running objects while simultaneously maintaining the access of reference applications to the objects during the re-initialization process comprising:

an object manager for controlling the re-initialization of the object, said object manager containing information related to the periodic intervals at which an object registered with said object manager is to be re-initialized;

an object program containing information for access by users, said object being registered with the object manager;

an object status program contained in said object to facilitate communication between the object manager and the object, said status program capable for notifying the object manager of the status of the object, and capable of limiting access of reference applications to the object program during a re-initialization process of the object, and maintain the access of the references programs to an object during the re-initialization of the object by placing the reference programs in a hold state.

Claim 30 (Cancelled)

Claim 31 (Currently Amended) The system as described in claim ~~29~~ 30 wherein said object status comprises the of processing, waiting, stopping, restarting and running.

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3. The following is an examiner's statement of reasons for allowance:

As to claims 1-5,7-11,13-17,19-29 and 31, the prior art of record does not teach or render obvious the limitations recited in claims 1, 9, 14, 22 and 29, when taken in the context of the claims as a whole, specific to placing all reference programs that have access to a long running object at the time the re-initialization signal for the long running object, in a hold state during the re-initialization process, the hold state providing the capability to maintain the connection of the reference programs to the object program, and removing each identified reference programs from the hold state when re-initialization process completed.

Moreover, evidence for modifying the prior art teachings by one of ordinary skill level in the art was not uncovered so as to result in the invention as recited in claims 1, 9, 14, 22 and 29.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K. Cao whose telephone number is (571) 272-3760. The examiner can normally be reached on Monday - Friday, 5:30AM - 2:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Diem Cao


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER